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UNITED STATES GENERAL ACCOUNTING OFFICE

WASHINGTON, D.C. 20548

In Reply
Refer to: B-198207(JLM)

OFFICE OF GENERAL COUNSEL

OCT 30 1981

The Honorable Peter W. Rodino, Jr.
Chairman, Committee on the Judiciary
United States House of Representatives

Dear Mr. Chairman:

We refer to your letter of August 12, 1981, in which you requested our comments on H.R. 1793, 97th Cong. 1st Sess., a bill for the relief of Mr. Bernard J. Killeen, Jr.

The bill would relieve Mr. Killeen of liability to the United States of \$1,573, representing the total overpayments which he received as a result of the failure to deduct premiums from his pay for optional life insurance coverage under the Federal Employees Group Life Insurance program between January 27, 1969, and February 26, 1977.

This Office considered Mr. Killeen's request for waiver of this indebtedness under 5 U.S.C. § 5584 (1976), on two occasions. See our decisions B-198207, August 22, 1980, and January 14, 1981, copies enclosed. The basis of our decisions was that since Mr. Killeen had elected optional life insurance and was therefore covered under the program, it was not against equity and good conscience to require him to pay for that coverage. Thus, we denied Mr. Killeen's request for waiver.

Although we take no position on the merits of the bill, we wish to point out that enactment of this bill will result in preferential treatment of Mr. Killeen over others similarly situated.

Sincerely yours,

Harry R. Van Cleve

Harry R. Van Cleve
Acting General Counsel

Enclosures

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